

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

V.

BRENT SEE

Defendant.

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

CASE NO. 4:16-CR-00310

JUDGE DONALD C. NUGENT

DEFENDANT’S MOTION FOR DISCOVERY  
AND INSPECTION

Now comes Defendant, Brent See, by and through undersigned counsel, and hereby moves this Court for the entry of an Order requiring the Government, specifically the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), to forthwith produce for the undersigned, a “silencer” held in the ATF’s possession. Defendant’s expert must inspect the physical evidence and test the same for the purposes of preparing a report reflecting an expert opinion pursuant Rule 702 and 703 of the Federal Rules of Evidence. The testing of this evidence is imperative to Defendant’s defense.

The Defendant is entitled to production of same prior to trial pursuant to Rule 16(a)(1)(E) of the Federal Rules of Criminal Procedure and in sufficient time to enable him to examine said evidence to prepare for trial and rebut the Government's proof. Counsel for the Government has no objection to Defendant's request for inspection and testing.

WHEREFORE, the Defendant requests that this Court enter such Order requiring the ATF to produce the evidence for inspection and testing as is just and proper with respect to production of the above requested items.

Respectfully submitted,  
**BETRAS, KOPP & HARSHMAN, LLC**

*s/David J. Betras*

---

David J. Betras (0030575)  
6630 Seville Drive  
Canfield, Ohio 44406  
Telephone: (330) 746-8484  
Facsimile: (330) 702-8280  
E-mail: dbetras@bhlaws.com  
*Attorneys for Defendant, Brent See*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was filed and served electronically this 3rd day of November, 2016 upon attorneys who have completed the ECF registration as required by the Court.

*s/David J. Betras*

---

DAVID J. BETRAS

ATTORNEY FOR DEFENDANT